

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39845 of 2021

Arising Out of PS. Case No.-375 Year-2020 Thana- GAIGHAT District- Muzaffarpur

VISHUN DEV RAI Son of Parikshan Rai Resident of Village - Angaon
Bakori (Yajuar), P.S.- Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399, 402 and 414 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 20 and 22 of the N.D.P.S. Act.

As per the prosecution case, on a raid being conducted while two accused persons were apprehended, four accused persons including the petitioner herein managed to escape. It is stated that from possession of the apprehended accused persons 5 kg ganja, a loaded country made pistol etc were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Neither the petitioner was arrested at the spot nor any



incriminating article has been recovered from his possession. He is in custody since 5.2.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot, his being in custody for more than 11 months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Gaighat P.S. Case no. 375 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge V, Muzaffarpur.

(Partha Sarthy, J)

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